

Serial No. XX/YYY,YYY

**REMARKS/ARGUMENTS**

The instant application is subject to a first office action final rejection following the filing of a Request for Continued Examination (RCE). The RCE was submitted with an Information Disclosure Statement that included three references to be considered by the Examiner. The RCE and accompanying IDS were filed following receipt of a Notice of Allowance but prior to payment of the issue fee.

The pending final rejection does not apply any of the references submitted via the RCE. The Examiner applied the same references that were already of record and successfully distinguished to place the case in condition for allowance. See Paper No. 16 (Office Action) and Response of July 2, 2003. Given this course of prosecution, Applicants submit that the instant Office Action should not have been designated as a "Final" rejection. Applicants request that the Examiner reconsider and withdraw her final rejection and restart the time for response so that Applicants have greater flexibility in formulating a complete response.

Applicants urge the Examiner to contact the undersigned representative should additional information be required.

Respectfully submitted,

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